

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAM**

**Colman-Egan
Continuous Improvement Monitoring Process Report 2003-2004**

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Program. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Maintenance	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- Table B – District/Agency instructional staff information
- Table C – Suspension and Expulsion Information
- Table D – Statewide assessment information
- Table E – Enrollment information
- Table F – Placement alternatives

- Table G – Disabling conditions
- Table H – Exiting information
- Parent surveys
- Referrals
- Publications of child find notices
- Comprehensive plan
- Yearly child find results
- IEPs
- File Reviews
- Prairie Lakes Educational Cooperative Handbook
- TAT documentation
- Child count data
- Private school information
- SIMS
- Pre-referral form

Meets requirements

The steering committee finds that the Colman Egan School District has identified systems for receiving documented referrals. District has surveyed groups involved in the child find activities and reviewed files. The school district has policies and procedures which address this issue.

The school district has file reviews, surveys, and documentation supporting their referral procedures as specified through state regulations and school policies.

The school district follows the state policies and procedures and the comprehensive plan regarding the placement and services of students voluntarily enrolled by parents in private schools.

The district has evidence of appropriate policies and procedures through the file reviews, surveys, and adherence to the rules, regulations and state approved comprehensive plan for students placed by the school district in private schools.

The district uses the relevant school data to analyze and review their progress toward the state performance goals and indicators.

The school district follows and adheres to the state guidelines for reporting of students suspended, expelled, or dropped out as per the reports required by the state regulations.

Table B of the school district state report indicates the school district employs and contracts with personnel who are fully licensed or certified to work with children based on their disabilities. The school district adheres to district policies and procedures for the appropriate supervision of these individuals.

The district utilizes the comprehensive plan, local and state policies and regulations, and staff needs surveys to fulfill the requirement to determine personnel development needs and take appropriate action to meet those identified needs. The Prairie Lakes Special Education Cooperative identifies the needs of the staff and provides training each year based on these needs. Special education staff personnel are allowed to attend other trainings during the year to continue to meet their needs of staff development.

Needs Improvement

Based on the finding that three Individual Education Plans were found not to have referral forms in their folders the steering committee feels that the district needs improvement in their pre-referral and referral system. Of those three Individual Education Plans, one student was a transfer, and the other two referrals were missing.

Validation Results

Meets Requirements

The review team agrees with all areas identified by the steering committee as meeting requirements for general supervision. The team also feels that Colman Egan School District meets requirements in the area of having an effective pre-referral and referral system in place to ensure students are identified without unnecessary delay. Interviews with the instructional staff, as well as the review of files, indicated that Colman Egan has a well established Teacher Assistance Team (TAT) that has been in existence for a number of years. TAT is a formal referral process that is used when teachers have concerns about students with academic or behavior problems. The teachers interviewed all agreed that the TAT provides ideas to staff and follows through with support. The district has developed a system where these pre-referral interventions are well documented. Should a referral to special education be necessary, this information is pulled forward into the referral.

Areas out of compliance

The following ARSD needs to be addressed immediately:

ARSD 24:05:17:03 Annual report of children being served

The review team was unable to verify that services were being provided to one student listed on the district's 2002 child count. The Department of Education will withhold from the district the Individuals with Disabilities Act (IDEA) federal funds received in error for the misclassified student.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- Table B – District/Agency instructional staff information
- Table C – Suspension and expulsion information
- Table E – Enrollment information
- Table F – Placement alternatives
- Table K – Early intervention (Part C) exit information
- Table L - Complaints
- Table M - Hearings
- Table N - Monitoring
- Age at referral
- Number of students screened
- Personnel development education
- Preschool age
- Number of referrals not resulting in evaluations
- School age

- Personnel training
- Budget information
- Comprehensive plan
- Surveys

Meets Requirements

The steering committee using the data from surveys and past reviews from the state and federal special education monitoring agree that the school district provides a FAPE for all children with disabilities.

The School District has not expelled or suspended any students. The School District has policies and procedures for expulsion and suspension of Special Education students through the comprehensive plan.

Validation Results

Meets Requirements

The review team agrees with all areas identified by the steering committee as meeting the requirements for a free and appropriate public education (FAPE).

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- Table G – Disabling conditions
- Table H – Exiting information
- Table I – Placement by age
- Table J – Placement by disabling condition
- TAT information
- Teacher file reviews
- Initial referrals
- Surveys
- Comprehensive plan
- IEPs
- Permission to evaluate forms
- Parental Report Forms
- SIMS
- Progress Reports
- Report Cards

Meets Requirements

Teachers, and related service providers have input into the evaluation process before it begins. Since the September 2003 Prairie Lake's Cooperative's training, all special education personnel are requesting input into the evaluation process from the parents.

The school district has policies and procedures identifying correct state and federal regulations for valid and reliable evaluations. A variety of assessment tools and strategies are used to gather relevant functional and developmental information including how the child will be involved in and progress in the general education curriculum. The school district has been doing functional assessments since October of 2002.

All other IEPs reviewed indicate the school district is following the appropriate state regulations and procedures for written notice and prior consent for assessments. The school district follows regulations and requirements set forth by the state office for testing instruments. Policies and procedures, file reviews and parental surveys indicate the IEP team considers all evaluations to determine a category of disability. According to file reviews, parental surveys, along with adherence to Federal, State, and local policies and procedures, the district provides documentation of eligibility determination to the parent. The school district has identified policies and procedures for proper re-evaluation requirements. The school district utilizes State eligibility testing procedures to ensure students are appropriately evaluated for continuing eligibility.

Areas that need improvement

Parents had no prior input into the evaluation process other than consent. File reviews indicate the school district needs improvement due to functional assessments. Timelines for evaluations were not adhered to in one of the IEPs. The parent wanted an additional evaluation from an out of district evaluator, which was not completed within the 3 year time frame.

Areas out of compliance

Two of the IEPs did not have Parental Consent for evaluation

Validation Results

Meets Requirements

The review team validates that teachers, and related service providers have input into the evaluation process before it begins; the school district is following the appropriate state regulations and procedures for written notice and prior consent for assessments; the district provides documentation of eligibility determination to the parent; and that policies and procedures are in place for new referrals and re-evaluations.

The review team also finds evaluation timelines are adhered to and this is not an area that needs improvement.

In all current files reviewed, informed consent was received from parents prior to conducting an evaluation, therefore the team found this to be an area that meets requirements.

Areas out of compliance

ARSD 24:05:25:02, Determination of needed evaluation data

A team of individuals, including input from the student's parents, determines what evaluation data is needed to support eligibility and the child's special education needs. Through interview and file reviews, the monitoring team found that, while the staff is in contact with the parent prior to the evaluation, they do not have a procedure for documenting parental input prior to the evaluation process.

ARSD 24:05:25:04, Evaluation procedures

School districts shall ensure, at a minimum, a child is assessed in all areas related to the suspected disability and those evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child. In nine out of eleven files reviewed the functional assessment that was completed was not skill based. In eight out of eleven files there was no written analysis of the functional evaluation.

The following ARSD needs to be addressed immediately:

ARSD 24:05:22:03 Certified child.

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. One student qualified for special education services in the area of orthopedic impairment (535). The most recent evaluation did not address the issue of the educational impact of the disability. To meet the criteria for orthopedic impairment (ARSD 24:05:24.01:13) there must be evidence of the following: addressed the deficits of muscular functioning, how the muscle problems affected ambulation and motor skills, and provided current medical data that confirmed an orthopedic impairment. The evaluation did not indicate how the student's impaired motor functioning significantly interferes with educational performance. The district needs to conduct a comprehensive evaluation in all areas of suspected disability and determine eligibility and educational need.

Principle 4 – Procedural Safeguards
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Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Teacher file reviews
- Comprehensive plan
- Parental Right document
- Consent and prior notice forms
- FERPA disclosure
- Surveys
- Public awareness information
- School newsletters
- SPED Handbook
- Table L - Complaints
- Table M - Due process hearing requests

Meets Requirements

The steering committee based on the data provided from the file reviews, and surveys completed by parents; that all parents are informed of their parental rights under IDEA.

Based on review of the districts comprehensive plan the steering committee agrees that policies and procedures are in place should a student need a surrogate parent.

Based on file reviews the steering committee determined that Colman Egan School District ensures the parents have been fully informed in their native language or another mode of communication (if necessary) of all information relevant to the activity for which consent is sought.

Based on student file reviews and records, information from the special education handbook, and review of policies and procedures in the comprehensive plan the steering committee determined that the district does provide the parents of a child in need of special education or special education and related services with the opportunity to inspect and review all educational records concerning the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education.

Based on the information provided by the SEP Tables L and M, and review of the policies and procedures in the comprehensive plan, the steering committee agrees that the district has policies and procedures in place for responding to requests for due process that ensure compliance.

Areas that need improvement

In two out of thirty-one IEPs, Parents did not initial the line for receipt of parental rights.

Validation Results

Meets Requirements

The review team agrees with all areas identified by the steering committee as meeting the requirements for procedural safeguards.

Areas that need improvement

The review team agrees the district needs to ensure that all parents receive a copy of their parental rights (procedural safeguards) and they document the receipt of those rights.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive Plan
- Student progress data
- Budget information
- Surveys
- File reviews
- Personnel training
- Report form
- State table K

- State table N

Promising Practices

The district's notice includes information for the parent regarding the invitation for other individuals to attend in all of its prior notices since September of 2003.

Meets Requirements

The school district has policies and procedures in place for the provision of an appropriate IEP team. Parent surveys indicate the procedures are being followed in 10 of the 13 surveys. Parent prior notice is initialed to show they are in agreement with the time of the IEP meeting for every meeting. The school district utilizes written notices with the required content to all parents and/or guardians. The district has procedures and policies in place to ensure IEPs are appropriately developed and in effect for each eligible student.

Areas that need improvement

The school district utilizes an appropriate IEP format to ensure the IEP contains the required content. In five out of thirty-one IEPs, the goals did not meet the criteria being measurable, three out of thirty-one IEPs were without modification/ accommodations or related service pages, and parents were not informed of the transfer of parental rights one year previous to the student turning 18 in seven out of twelve IEPs reviewed.

Areas out of compliance

The District has problems with the transition part of the IEP. Specifically: (1.) Completed course work schedule, (2.) All five transitional area need to be addressed, (3.) Transitional assessments are needed for ten of the fourteen students, and (4.) three of the fourteen students needed related service areas for transition purposes to be completed. There is a need for improvement. To start, the special education teachers have been trained with the correct guidelines beginning with a training in September, 2003.

Validation Results

Promising Practices

The review team agrees that including information on the prior notice for the parent regarding the invitation for other individuals to attend is one way to provide this information; however, this is required information that must be disseminated to parents and is not considered a promising practice.

Meets Requirements

The review team validates the steering committee's finding that the district meets the requirement of appropriate team membership. The team also finds the written notice provided for all IEP meetings includes the required content and is sent to parents five days prior to the meetings unless the parent waives the five day requirement. Progress reporting was seen in all files reviewed. All files reviewed indicated the amount of special education and related services to be provided and the accommodations and/or modifications to be provided.

While the steering committee found the area of transition to be out of compliance, the review team found that transition was addressed correctly in all files for high school students completed since the district training and feels that this is an area that now meets requirements.

The review team was not able to validate that the present levels of performance in the IEP met requirements.

Areas that need improvement

The team agrees with the steering committee that the district needs to continue to improve on developing measurable annual goals. The review team also concurs with the steering committee that parents were not consistently informed of the transfer of parental rights one year previous to the student turning 18. The current high school special education teacher is aware of the need for informing parents of the transfer of parental rights and had done so in the two IEPs where it was required.

Areas out of compliance

24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include a statement of the student's present levels of educational performance including how the disability affects the student's participation in the regular classroom. The monitoring team determined that the present levels of performance were not linked to written reports of functional assessment. Functional assessment must be completed in all areas of suspected disability, be skill based, and address the educational impact of the disability. Statements such as: ___ reads at a second grade level or received a score of 55 in math on a standardized test are not functional. To provide the information needed for present levels of performance on the IEP specific skills should be addressed: When ___ reads from a content area book he is able to use picture clues to help decode words but consistently has problems with short vowels and blends which makes it difficult for him to comprehend what he has read; or ___ is able to add and subtract single digit numbers but does not remember to regroup when doing two digit problems, which means he is unable to do complete the same math problems as his peers.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Table E - Enrollment Information
- Table F – Placement alternatives
- Table G – Disabling conditions
- Table I – Placement by age
- Table J – Placement by disabling condition
- Table N - Monitoring
- File reviews
- Parent, student, general educator surveys

Meets Requirements

Based on information from state data tables, file reviews, and surveys, the steering committee concluded that Colman Egan School District has policies and procedures in place for addressing the least restrictive environment of students and follows these policies and procedures.

Validation Results

Meets Requirements

The review team agrees with the steering committee's conclusion that the district meets the requirements for the least restrictive environment. An observation was completed in the kindergarten classroom which involved a "speech lesson" for all the children. The teacher would give a word and the children in the class would then give words that rhymed with that word. The speech/language therapist was in the room and provided help to a special education student as well as the student's peers. The classroom teacher called on all students in the room and gave "hints" to a number of students, not only the special education student. The speech/language therapist was able to provide some individual work on the "r" sound, while the student continued to participate in the class activity.